

PATRICK UZOMBA

v

UHS and Employees

Original Complaint.

I
 Plaintiff first sent this complaint, along with two other complaints pending in this court, SA-12-CA-1193XR and SA-12-CA-117XR. And when Plaintiff wrote to Court's Clerk in January asking for status of the cases/complaints. The clerk responded with the two cause numbers above. But the Clerk stated that the third complaint was never received by the U.S. District Office. Plaintiff, upon ~~that~~ knowledge and belief, believe the 3/19/83 complaint was intercepted ~~and~~ given to Medical Department by the jail mail room and given to UHS medical Department, and they tried to fix the issues Plaintiff was complaining about, more ^{on} this later.

II

Plaintiff arrested on November 19, 2012, advised University Health System at Bexar County Adult Detention Center (UHS), all of Plaintiff's medical problems, needs, and issues. Plaintiff filed many Sick Calls and Grievances complaining as follows:

- 1) Prior to his arrest, Plaintiff was involved in a car accident, and was transported by ambulance to Santa Rosa Hospital. Afterwards Plaintiff was under Chiropractor's and Doctor's care. By MRI, ^{and knee specialist} doctors determined and were in process of scheduling knee surgery.
- 2) Plaintiff was prescribed pain medications and refills, walking cane, Rehabilitation programs, and Chiropractic treatments
- 3) Plaintiff arrived at Bexar County Adult Detention Center (BCADC) with knee bracers or braces, and no prescribed walking cane, because SAPD arresting officers discard the cane
- 4) Plaintiff is practically blind and needs eye glasses (SAPD lost his). The longer Plaintiff goes without glasses the worse his eyes gets. Plaintiff as of Feb. 21, 2013 has not receive eye exam yet.

(f) UHS complaint.

- 5) Plaintiff has high blood pressure
- b) Plaintiff is hypoglycemic, and was diagnosed by UHS at least on two separate occasions, ~~last~~ time was about SIX months ago, And proper diet was prescribed by Dr. Chan Choon, to combat his hypoglycemia. Plaintiff's blood sugar drops unexpectedly and dangerously ~~to~~ low as "30s" and UHombas has passed ^{out} several times in the past. Note: Up till this writing UHS have risked Plaintiff's life, Plaintiff have ^{to} run around all day ~~begging~~ ^{scrape} begging other inmates for any extras. This creates many problems.

III

November 23rd, 2012, UHS Nurse finds Plaintiff's blood pressure "200", she walked across the hall, and requested Dr. Choon to see Plaintiff on emergency. Choon seen Plaintiff immediately, and also called Plaintiff on November 27, 2012, on a follow up. Both times, Choon did not want to discuss any other medical issues, stating that Plaintiff's blood pressure was his only concern at that time, and will see Plaintiff next visit on other matters. Choon refused to provide walking cane, and refused to place Plaintiff back on, the same diet, ~~he~~ Choon himself prescribed six months earlier in May 2012 (last time Plaintiff was incarcerated for an old traffic ticket, ~~but~~ Plaintiff was released June 5, 2012). Choon refused Plaintiff pain medications, Choon refused to contact medical doctors Plaintiff was under their care, at the time of his arrest, Choon also refused to obtain Plaintiff's medical records ~~from~~ from the Doctors as Plaintiff requested.

IV

On December 3rd, 2012, Betty (identified herself as UHS medical Director's Assistant), came to Plaintiff's housing unit, in response Plaintiff's grievances and sick calls requests. But it appeared that Betty's main concern was to advise Plaintiff, that Plaintiff can not file law suit against UHS, because as she stated, UHS only provide medical services for sick inmates.

② UHS complaint

Betty (who would not give her last name) told Plaintiff that Dr. Choon will ~~see~~ see Plaintiff in a day or two, which never happened. Then Betty on her way out, stopped and discussed Plaintiff's medical issues with the unit officer ^{Garcia} without Plaintiff's permission, and stirred up hatred for Plaintiff, at least discord. The officer Garcia said "Betty said you think, if ~~you~~ you threaten ~~us~~ them with law suit you will get what you want."

V

On December 11th, 2012, Plaintiff received a response to one of his grievances, signed by Dr. K. Whiteley (Medical Director), that states verbatim: "You were seen by NP Chan (Choon) on 11/23/12 and 11/27/12, NP Chan did an exam and did not feel that a cane was necessary. He also did not feel that a change in diet was medical necessary - You are also housed in Basement Medical (unit) for your knee problems".

Plaintiff was not examined by Choon for Choon only seen Plaintiff on the dates stated, because Plaintiff's blood pressure was high ("200"), and the nurse immediately walked across the hall to NP Chan (Dr. Choon) and had Plaintiff seen right away. Chan stated himself ^{on November 22nd} he was only concerned about taking care of the high pressure and address the rest of medical problems next week. Which never happened. Plaintiff has no idea of what exam NP Chan did ^{as} stated in grievance response, and for Dr. Whiteley, Medical Director and a doctor herself, to sign her name and signature with ^{out} reviewing the exam herself is deliberate indifferent to Plaintiff's serious medical needs.

VI

NP Chan (or Dr. Chan Choon) had previously ^{prescribed} Plaintiff on Diet that kept Plaintiff's blood sugar to an acceptable level, ("70's"). which was still on the low side of normal range of (80-120), Plaintiff was placed on the said diet from May of 2012 ~~to June 5th, 2012~~ until he release June 5th, 2012. Plaintiff returned to custody six months later,

November 19th, 2012, but Plaintiff's hypoglycemic problems, that ^{was} diagnosed for the first time in 2001, and has only gotten worse since the Defendants, been giving Plaintiff problems with providing the necessary medical care. Incidentally ~~Plaintiff~~ Defendant, retaliated (Juan Del Toro) on Plaintiff in February 11th, 2013 and Plaintiff's cell mate, who is not hypoglycemic gets high protein diet ^{with sandwich between meals} because he told the doctor, he ~~used~~ to be a vegan (vegetarian) in the past. Even that diet would be better for Plaintiff ^{than nothing}. The retaliation will be discussed. Plaintiff filed a law-suit against Defendants on the same matter before, so Defendants are well familiar with Plaintiff and are just being stubborn and recklessly taking risk at Plaintiff's expense, because no matter what happens, Plaintiff's ^{health} will be seriously harmed at ^{the} end, Plaintiff's hypoglycemic problems will get worse and progress to the next level or Plaintiff will drop dead any day, just exactly how Plaintiff's Father died, ^{because} but he just did not take his blood sugar problem seriously enough.

VII

Plaintiff has provided names and contact information of all ~~med~~ medical Doctors, Chiropractors, and Drug stores, that was treating Plaintiff at the time of his arrest and requested Chan, Choon and the UHS to contact these organizations to help determine best procedure and/or treatment to follow. Betty and Choon expressed that is not needed, nor necessary to contact the said organizations.

VIII

Plaintiff ~~Plan~~ does not understand how Chan Choon, made his determinations, nor does Plaintiff understand how Dr. K. Whiteley (Medical Director), a medical doctor herself, with ~~the~~ ^{out} review, the non-existing exam
 (H) UHS complaint

performed by Choon, before she signed her name. Indication that Dr. Whiteley is overwhelmed by being medical director, without enough manpower and/or help, more^{on} this later, it will become apparent. Dr. Whiteley did not explain what type of medical exam Choon performed, to make such a serious determination. This deliberate indifference to Plaintiff's serious medical needs, by both Dr. Chan Choon and Dr. K. Whiteley (Medical Director), and denial of very serious medical care, that will impair Plaintiff for life. If Plaintiff continues walking without cane, and the needed knee surgery, Plaintiff will develop other serious medical problems, like back, ankle, thighs, legs, unbalance and level stance, and spinal injuries etc, as the other three doctor warned Plaintiff; when the surgery determination arrived and the need to use the cane. And the knee will get worse, the longer surgery is delayed. Permanent knee and other physical problems, ^{nerve damages,} and deformations will result. These will be lifetime new problems that Plaintiff did not have at time of his rest. Plaintiff hopes he make it alive, Plaintiff pass out, like a light bulb switch one day, hit his head and die like ~~like~~ his father did 2008. Plaintiff hope the court ^{would} at least compensate his daughter Rebecca Beaver and her children. Don't worry I won't kill my self, far from my mind. I will prevail in my cause for justice. but just in case still compensate my daughter and grand children.

IX

UHS deliberately indifferent to train it's staff on hypoglycemic needs, and deliberately indifferent to have in place policy of treating hypoglycemic inmates is dangerously life threatening. UHS would rather provide Plaintiff more expensive blood pressure medication, than spend a dollar less to provide adequate diet for blood sugar count. The low blood sugar count affects the blood pressure, because it ~~prevents~~ induce added stress. Plaintiff does not ^{sure} ^{high} blood pressures in free world and out of jail. Plaintiff told and Proved it

⑤ UHS complaint

UHS, because they can't control Plaintiff's blood pressure and they continue to increase Plaintiff's blood pressure dosage to no avail. Defendant's deliberately indifferent to provide Plaintiff adequate pain medications; cane, plan to begin knee surgery and provide eye glasses (SAPD should not have lost it and discard the cane). The hypoglycemic is a revisited issue with UHS as defendant's UHS demonstrate stubbornness and deliberate indifferent to serious medical needs, that shocks the conscience. This is cruel and unusual punishment in violations of Plaintiff, a Pre-trial detainee ^{of the Amendment rights} for a case that will be dismissed, Plaintiff (Pre-trial Detainee) request of this honorable Court for injunctive relief and order UHS to immediately conduct the knee surgery, provide cane (never take away), adequate pain medications, put Plaintiff back on diet he ~~had~~ ^{has} in May 2012. Plaintiff also seek stiff punitive and exemplary damages award.

X

Plaintiff originally sent the complaint ^{along} this his §1983 complaint with VIA and City of San Antonio complaints (SA-12-CA-1175XR and SA-12-CA-1193X) in December. But only this Complaint came up miss, mysteriously. But afterwards UHS tried to fix problems Plaintiff complained of in the Complaint as follows:

- 1) On December 28th, 2012, Plaintiff was issue a walking cane, with Medical Permission slip, that states "allow cane for duration of stay."
- 2) On January 22nd, 2013 Chan Choon called for Plaintiff. When Plaintiff got to Choon's office; Choon wearing a laughing look on his face (not a smile), asked Plaintiff "why do you want to see me". Plaintiff replied "that is a good question because you called me, and usually you already know what you will discuss with me." Choon started laughing out loudly and continued, so Plaintiff asked "why are you laughing". Choon looked at Plaintiff in a playful manner, so Plaintiff repeated question, Choon said "you, you make me laugh". Plaintiff told Choon "it is offensive that you are laughing at me." Choon said "No, No I am ~~not~~ I thought we were friend enough!" Plaintiff said "Look, first of all, you are not my friend, I don't know you. You deny me needs, and

very serious medical needs, without ever examining me, I need a diet for my health, you diagnosed my hypoglycemia yourself, and ordered appropriate diet in the ^{not} so far past, when I was here in May 2012, now I return a few months later, you denied me walking cane and you lied that you examined me, I need knee surgery and you won't even check into it, I have given you all the medical doctors names, and contact information that were treating me for the automobile accident I was involved, and need surgery, and pain medications and treatment, you called or think we are friends. No I do not think so, not even any remote chance." Dr. Choon continued with the same sarcastic and ~~sarcastic~~ laugh, and look with low volume laugh. Plaintiff told Dr. Choon, that he don't appreciate being laughed at or taken as a joke or lightly. Dr. Choon said "No, No I am not laughing at you, I am laughing with you. You make me smile and laugh when I see you, because you usually have a smile on your face". Plaintiff said "I am not laughing with you, so what make you think you are laughing with me." Then Choon said again "why you want to see me", and he then picked up two sick call requests, he had in his desk from the very beginning, and displayed it, but I can't see it. Plaintiff said "I have written many sick calls and you never respond." Plaintiff started ^{to} list several medical issues, Dr. Choon interrupted and displayed the ^{one} ~~two~~ month old sick calls, when Plaintiff had infection, and dry skin problem. Dr. Choon ordered skin moisturizer. Plaintiff asked what about the real serious medical issues and needs. Dr. Choon said "I will only address this matter right now, bye." Plaintiff said "See that was I said from the very beginning, you only address what you want, so why play with me asking 'why you want to see me'." Dr. Choon behaves and acts like the whole thing is game. Plaintiff wrote grievance stated exactly verbatim as above. On January 28, 2013, at 3pm; Medical Director, Dr. K. Whiteley came and got Plaintiff. Whiteley ordered pain medication 3 times a day (Plaintiff was getting 4 times from his doctor) the type of medication Plaintiff was getting only in liquid form. Whiteley states "I don't like to order diet meals (no reason given) for these

type of cases ~~myself~~, but I don't understand why Chan did not just start you back on the diet, if he just had you on it." Plaintiff said "check the medical record yourself". Dr. Whiteley checked and said "Yeah, but let see why," she started to look but ~~on~~ long medical history, she said she didn't have to check ~~them~~ all. She said most likely I won't put you on the diet but I will order accu-check three times a day. [The nurses failed to check Plaintiff right before meals are served, but when they did, it was 51, 60, 62, 63, well below the low end of the normal range of "80 to 120", just like body temperature if low sick, if high the normal narrow ~~my~~ limits fever and sick. Then Whiteley request Plaintiff's doctors contact information, she started check but again she doesn't have ~~there~~, she looked for the form for Plaintiff sign, but again stopped and she doesn't have time. So why call Plaintiff and ask these information and don't have time.]

^{1/29/13}
The same day, at 3:30pm the Radiologist called Plaintiff, he stated that Dr. Whiteley ordered x-ray and delivered the paper work herself and wants it done right now, unusual, because the order usually takes 2 weeks at least. The Radiologist states he see ~~why~~, because of your injury and walking, that Plaintiff now have abnormal stance, ~~and~~ ^{he} showed and demonstrate to Plaintiff on the x-ray. He was sure that the unbalance stance was recent ~~caution~~.

XI

The same 1/29/13 evening, conspiracy ^{between} medical, jail staff, floor sergeants, and two inmate gang members, at 10pm the two inmates and unit officer had long meeting/conference and at 10:30pm the inmates told Plaintiff "Park your things up and get moved, at 11pm we be at your bunk, be gone, don't snitch on us, don't write any grievance, or where ever you go, we will find you!" Plaintiff was sent to booking into a freezing cell, without blanket and his belongs, it was kept in the basement by the unit. Plaintiff just left, Plaintiff stayed in the freezing cell all night and moved to the infirmary unit in the morning. This conspiracy

(2) UHS complaint

was to move Plaintiff without going through classification,

XII

At the infirmary unit Plaintiff's most jail privileges were lost, almost like lock down, disciplinary punishment ^{for} ~~no~~ causation, no hearing (due process violation). The cells are one man cell, and inmates are locked behind brick walls with solid heavy steel door, with an Emergency Button (EB). A sick or ill man may only have ^{one} chance to ~~answer~~ push the EB, the officers and the Medical personnel that ~~is~~ ^{are} always at the same location as the unit officer do not respond to the EB.

On February 6, 2013, an inmate hung himself because manner Nurse James Anderson handled him. Anderson was assigned to constantly watch this inmate (suicidal). He also pushed and no response.

On February 7, 2013, Adrian Thomson (SID # 822877) was found passed out with low blood sugar, like the Plaintiff, medical ^{Dept} refuse to ~~treat~~ treat him for his medical condition, and serious need. Thomson was passed out for hours ^{in cell} and tried to push the button EB and no response. Then next door cell #18, Richard Garza had serious illness (unknown to Plaintiff), he push the EB no response, then the second time he was going to push EB again he passed out, hit his on steel metal bed with straight and sharp corner, and blood every where. With Richard laying in his own blood.

The Medical Unit had two showers, but only the small ^{shower worked (four)} ~~one~~ (meant for 4 men in that section to use). But about thirty (30) ^{inmate} in this unit, the shower looks like it had not cleaned or inspected in over a year. Metal handicap seat with many detachable parts, was all broken up and falling ^{apart} ~~apart~~. Safety Hazard and can be used as weaponny, it should be completely removed. But no one would dare complain and suffer retaliation. There were thousands of soap pieces, wrappers every where (may have been there for over a year), the floor slippery. Crevice in walls and floor, and creepy things crawling. There were many patients who were badly injured, with bloody and open scars, scabs, they all take showers without proper covering for there wounds. Leaving

scabs, bloody sores on the walls and floors. The walls are only 3½ feet apart, if not very careful in movement you rub up against the walls, and sometimes scabs, blood, sores on your body. Plaintiff wrote grievances on all the matters and problems ^{stated} above, and no response. But here come retaliations; Medical and Jail staff conspire

XIII

February 10, 2013, Nurse James Anderson took Plaintiff's cane and refuse to return it. ~~Anderson said he would~~ ^{later that day} ~~Plaintiff will have to~~ ^{Plaintiff} speak with Doctor in the morning, ~~and in front of Plaintiff's door, Plaintiff slipped, fell, and reported the incident to officer Jones, #1742 and Nurse James Anderson, no treat or medical inspection and no report was generated. Plaintiff did not get to speak with Doctor, and requested to see Doctor to get his cane back, he is hurting, Request DENIED. Later Plaintiff was moved to general population unit. Then, all pain medications were taken away, that was just prescribed by Dr. Whitely. The move was retaliatory, no more pain medications, walking cane, Plaintiff was scheduled mid February eye exam is cancelled. James Anderson is not doctor, can not determine whether~~

Plaintiff needs a cane that was prescribed for the duration of his incarceration.

James Anderson is not Detention Officer, has no right enforcement of the laws or security function. Plaintiff showed officer ^{the permission slip "for duration of stay"} ~~Plaintiff~~ ^{Officer should have immediately} Plaintiff was never re-examined by any Medical Dept Doctor, determine to take away all pain Medication Suddenly, nor the cane.

Reth Aylor

returned the cane
to Plaintiff.